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Customer No.: 26308

Patent



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thompson et al.

Attorney Docket No.: 9345.17121-CON 1

Serial No.: 09/883,089

Examiner: R. Smith

Filed: 15 June 2001

Group Art Unit: 3737

Title: Systems for Applying Ultrasound Energy to the Thoracic Cavity

REQUEST FOR UPDATED/CORRECTED FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Attached is a Decision Granting Petition, mailed from the Office of Petitions on 23 May 2002 regarding the referenced application. As noted in the Decision, this application is to be accorded a filing date of 15 June 2001.

The Patent Office official record continues to indicate the wrong filing date (10 September 2001).

Please change the official record and issue an updated filing receipt showing the correct filing date of 15 June 2001.

Respectfully Submitted,...

By

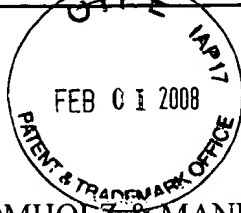
A handwritten signature in black ink, appearing to be "D. Ryan".

Daniel D. Ryan, Reg. No. 29,243

RYAN KROMHOLZ & MANION, S.C.
Post Office Box 26618
Milwaukee, Wisconsin 53226
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30 January, 2008
Customer No.: 26308



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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In re Application of
Thompson, et al.
Application No. 09/883,089
Filed: June 15, 2001
Attorney Docket No. 9345.17121-CON 1

OFFICE OF PETITIONS

DECISION GRANTING
PETITION

This is a decision on the petition entitled, "PETITION ACCOMPANYING PARTIAL RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION," filed September 10, 2001 (certificate of mailing date September 6, 2001), requesting, in effect, partial withdrawal of the Notice to File Missing Parts of Nonprovisional Application (Notice). The petition will be treated under 37 CFR 1.53(e).

The application was deposited on June 15, 2001. On July 6, 2001, the Office of Initial Patent Examination mailed a Notice informing petitioners, *inter alia*, that drawing figure 8, as described in the specification, appeared to have been omitted.

In response to the Notice, petitioners timely filed the present petition. Petitioners request that drawing figure 8 be accorded a filing date of June 15, 2001 on the basis that 9 sheets of drawing figures, including drawing figure 8, were received in the Patent and Trademark Office (PTO) on June 15, 2001. In support, the petition is accompanied by a copy of applicants' itemized postcard receipt showing an Office of Initial Patent Examination generated barcode citing June 15, 2001 as the date of receipt. The postcard lists, *inter alia*, that the filing included 9 sheets of drawings.

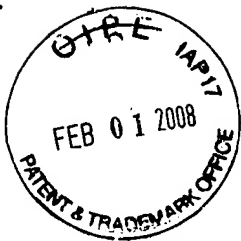
The return postcard constitutes *prima facie* evidence that 9 sheets of drawing figures, including drawing figure 8, were filed on June 15, 2001. MPEP 503. Accordingly, the request is granted.

Pursuant to petitioners' request, the \$130.00 petition fee will be credited to deposit account no. 06-2360.

The application is being returned to Office of Initial Patent Examination for further processing, with a filing date of June 15, 2001, using the copy of drawing figure 8 submitted with the instant petition. Office records will be corrected to show that 9 sheets of drawings were present on filing.

Any inquiries pertaining to this matter may be directed to Petitions Attorney E. Shirene Willis at (703) 308-6712.

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



CERTIFICATE OF FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, with sufficient postage, on the date indicated below in an envelope addressed as follows: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

By: *Judith Dunaway*
Judith Dunaway

Dated: *30 Jan 2008*